

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

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|-----------------|---|--------------------|
| DAVID PRESCOTT, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | Case No. CV408-198 |
| |) | |
| WARDEN CHASE, |) | |
| |) | |
| Respondent. |) | |

REPORT AND RECOMMENDATION

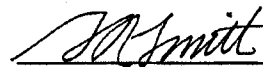
David Prescott filed a 28 U.S.C. § 2254 petition (doc. 1) but lost interest in pursuing it upon his release from Men's State Prison.¹ Despite his continuing duty under Local Rule 11.1 to provide the Court with a current mailing address, he simply disappeared upon discharge. Without a current mailing address, the Court cannot communicate with Prescott or move his case forward.

Courts are authorized to prune from their dockets those cases that amount to no more than "deadwood." Accordingly, Prescott's petition should be **DISMISSED** without prejudice for his failure to prosecute this

¹ A copy of his docket sheet was returned with a notation stating that Prescott had been discharged. (Doc. 14.)

action. L.R. 41(b); Link v. Wabash Railroad Co., 370 U.S. 626, 630-31 (1962) (courts have the inherent authority to dismiss claims for lack of prosecution); Mingo v. Sugar Cane Growers Co-op, 864 F.2d 101, 102 (11th Cir. 1989); Jones v. Graham, 709 F.2d 1457, 1458 (11th Cir. 1983); Floyd v. United States, No. CV491-277 (S.D. Ga. June 10, 1992).

SO REPORTED AND RECOMMENDED this 26th day of January, 2009.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA